



San Bernardino County Candidate's Handbook

November 4, 2008

**Registrar of Voters
777 E. Rialto Avenue
San Bernardino, CA 92415-0770
(909) 387-8300 or (800) 881-8683**

IMPORTANT NOTE:

This handbook is intended to provide information about the candidate nomination and does not have the force and effect of law, regulation, or rule. In case of conflict, the law, regulation, or rule will apply. This handbook is distributed with the understanding that the Registrar of Voters does not render legal advice and is not a substitute for legal counsel.

HELPFUL CONTACTS

Provided below is a quick reference of telephone numbers and Internet addresses to assist you with questions you may have during your campaign.

Registrar of Voters, San Bernardino County

www.sbcrov.com

Voter File Maintenance	(909) 387-2479
Candidate/Public Services	(909) 387-8300
	(800) 881-8683
Poll Worker Recruitment	(909) 387-3341
Vote by Mail	(909) 387-2305
Precinct Planning	(909) 387-2045
Technical Support	(909) 387-2271
Polling Places/Operations	(909) 387-2044

Fair Political Practices Commission

www.fppc.ca.gov

Technical Assistance Division	(866) 275-3772
Enforcement Division	(916) 322-5660
Toll Free "Tip Line"	(800) 561-1861

Secretary of State

www.sos.ca.gov

Election Division	(916) 657-2166
Information & Election Fraud Hot-Line	(800) 345-8683
Political Reform Division	(916) 653-6224

California Legislative Information

www.leginfo.ca.gov

California Codes and link to California Constitution

REGISTRAR OF VOTERS

777 East Rialto Avenue • San Bernardino, CA 92415-0770 • (909) 387-8300
Fax (909) 387-2022



COUNTY OF SAN BERNARDINO
PUBLIC AND SUPPORT
SERVICES GROUP

Kari Verjil
Registrar of Voters

Dear Candidate:

Congratulations on your decision to seek office in the upcoming General Election. Your candidacy provides voters in San Bernardino County a choice and is important to the democratic process.

Because there are many requirements associated with being a candidate, we have prepared this Candidate's Handbook to assist you in understanding these requirements. It contains valuable information pertaining to qualifications for office, terms of office, procedures, fees, forms, and dates.

Please keep in mind that this Handbook is intended to be a resource and is not a substitute for legal counsel.

We recommend that you file your nomination documents as early as possible to ensure that your documents are complete. Filing deadlines are mandated by law and cannot be changed. If you wait until the end of the filing period to file your documents, this could result in your name not being on the ballot.

The Registrar of Voters is open each weekday between the hours of 8:00 a.m. and 5:00 p.m., except holidays. We are located at 777 E. Rialto Ave., San Bernardino.

Our goal is to provide you with assistance that will make your candidate filing an enjoyable experience. If you have any questions or need additional information, please contact the Candidate/Public Services at (909) 387-8300.

Best wishes to you in your campaign.

Sincerely,

Kari Verjil
Registrar of Voters

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General Information

DATES OF INTEREST

July 14	Nomination Period Opens. Candidates may pick up nomination packets at the Registrar of Voters. Special District candidates may pick up forms at the District office.
July 14 - August 8	The form 700-Statement of Economic Interest must be filed with the Registrar of Voters office prior to the close of the Nomination period.
August 8	Last day that any candidate may request in writing a different ballot designation for this election.
August 8	Nomination Period closes. Close of regular candidate filing period.
August 9 – August 13	Extended nomination period begins if incumbent did not file for office.
August 9 – August 18	Public viewing period of candidate statements. E.C. §13313 allows a ten day viewing period of the official sample ballot pamphlet prior to submittal for printing. During this period, any voter of the jurisdiction in which the election is being held may seek a writ of mandate or an injunction requiring any, or all, of the material in the pamphlet to be amended or deleted.
August 13	Extended nomination period ends.
August 14	Secretary of State and Registrar of Voters shall conduct random alphabet drawings.
September 8 - October 21	Period for Write-in candidates to file their statements of write-in candidacy and nomination papers.
September 25	First day sample ballots may be mailed.
October 6	First pre-election campaign disclosure statement due for period July 1 through September 30.
October 6 - October 28	Applications for vote by mail ballots available during this time period from the Registrar of Voters.
October 6 – November 4	Early Voting at the Registrar of Voters Office.
October 20	Last day to register to vote for this election.
October 23	Second pre-election campaign disclosure statement due for period October 1 through October 18.

November 4	Election Day - The polls will be open from 7:00 a.m. and will close at 8:00 p.m.
November 6	Registrar of Voters shall commence official canvass no later than the first Thursday following the election.
December 2	Deadline for the Registrar of Voters to certify election results.

OFFICES				
SCHOOL DISTRICTS				
		CANDIDATE STATEMENT COST		
OFFICE	APPROXIMATE VOTERS	SAN BERNARDINO COUNTY	SHARED COUNTY	SHARED COUNTY COST
San Bernardino County Board of Education – 2 Full Term				
Area C	132,504	\$5,300.00		
Area E (Shared)	159,727	\$6,389.00	Riverside	\$450.00
Adelanto School District – 2 Full Term, 2 Short Term				
	12,916	\$517.00		
Alta Loma School District – 2 Full Term				
	30,197	\$1,208.00		
Apple Valley Unified School District – 2 Full Term				
	35,521	\$1,421.00		
Barstow Community College District – 3 Full Term				
	15,922	\$637.00		
Barstow Unified School District – 3 Full Term				
	13,201	\$528.00		
Bear Valley Unified School District – 3 Full Term				
	10,041	\$402.00		

OFFICES				
SCHOOL DISTRICTS				
		CANDIDATE STATEMENT COST		
OFFICE	APPROXIMATE VOTERS	SAN BERNARDINO COUNTY	SHARED COUNTY	SHARED COUNTY COST
Beaumont Unified School District – 2 Full Term				
	3	\$250.00	Riverside	\$850.00
Central School District – 2 Full Term				
	16,843	\$674.00		
Chaffey Joint Union High School District – 2 Full Term				
	147,241	\$5,890.00		
Chino Valley Unified School District – 3 Full Term				
	70,663	\$2,827.00		
Colton Joint Unified School District – 3 Full Term (Voted At Large)				
Area 1	38,096	\$1524.00		
Area 2	38,096	\$1524.00	Riverside	\$450.00
Area 3	38,096	\$1524.00		
Copper Mountain Community College District – 3 Full Term				
	25,122	\$1,005.00		
Cucamonga School District – 2 Full Term				
	8,835	\$353.00		
Etiwanda School District – 2 Full Term				
	34,304	\$1,372.00		

OFFICES				
SCHOOL DISTRICTS				
		CANDIDATE STATEMENT COST		
OFFICE	APPROXIMATE VOTERS	SAN BERNARDINO COUNTY	SHARED COUNTY	SHARED COUNTY COST
Fontana Unified School District – 2 Full Term				
	44,813	\$1,793.00		
Helendale School District – 2 Full Term				
	3,000	\$250.00		
Hesperia Unified School District – 2 Full Term				
	35,352	\$1,414.00		
Lucerne Valley Unified School District – 2 Full Term				
	2,745	\$250.00		
Mountain View School District – 2 Full Term				
	7,795	\$312.00		
Muroc Joint Unified School District – 3 Full Term, 1 Short Term				
Area 1 A (1 Full Term)	13	\$250.00	Kern	\$470.00
Area 2 B (1 Short Term)	13	\$250.00	Kern	\$470.00
Area 2 C (1 Full Term)	13	\$250.00	Kern	\$470.00
Area 3 D (1 Full Term)	13	\$250.00	Kern	\$470.00
Needles Unified School District – 3 Full Term, 2 Short Term				
Area 2 (2 Full Term)	1,889	\$250.00		
(2 Short Term)	1,889	\$250.00		
Area 3 (1 Full Term)	693	\$250.00		

OFFICES				
SCHOOL DISTRICTS				
		CANDIDATE STATEMENT COST		
OFFICE	APPROXIMATE VOTERS	SAN BERNARDINO COUNTY	SHARED COUNTY	SHARED COUNTY COST
Ontario/Montclair School District – 2 Full Term				
	48,974	\$1,959.00		
Oro Grande School District – 1 Full Term				
	291	\$250.00		
Redlands Unified School District – 3 Full Term				
	60,884	\$2,435.00		
Rialto Unified School District – 3 Full Term				
	40,530	\$1,621.00		
Rim of the World Unified School District – 3 Full Term (Vote at Large)				
Area 1	16,669	\$669.00		
Area 2	16,669	\$669.00		
Area 3	16,669	\$669.00		
San Bernardino City School District – 3 Full Term				
	84,340	\$3,375.00		
San Bernardino Community College District – 4 Full Term				
	276,207	\$11,050.00	Riverside	\$450.00
Sierra Sands Unified School District – 3 Full Term				
Area 2	153	\$250.00	Kern	\$806.00

OFFICES				
SCHOOL DISTRICTS				
		CANDIDATE STATEMENT COST		
OFFICE	APPROXIMATE VOTERS	SAN BERNARDINO COUNTY	SHARED COUNTY	SHARED COUNTY COST
Silver Valley Unified School District – 2 Full Term				
Area 2	788	\$250.00		
Area 3	1,152	\$250.00		
Snowline Joint Unified School District – 2 Full Term				
	16,395	\$656.00	Los Angeles	\$200.00
Trona Joint Unified School District – 2 Full Term				
	735	\$250.00	Inyo	\$350.00
Upland Unified School District – 2 Full Term				
	36,043	\$1,442.00		
Victor Elementary School District – 2 Full Term				
	32,112	\$1,285.00		
Victor Valley Union High School District – 2 Full Term				
	48,319	\$1,933.00		
Yucaipa-Calimesa Joint Unified School District – 3 Full Term				
	25,584	\$1,025.00	Riverside	\$450.00

OFFICES				
SPECIAL DISTRICTS				
		CANDIDATE STATEMENT COST		
OFFICE	APPROXIMATE VOTERS	SAN BERNARDINO COUNTY	SHARED COUNTY	SHARED COUNTY COST
Apple Valley Fire Protection District – 3 Full Term				
	35,327	\$1,413.00		
Barstow Fire Protection District – 2 Full Term				
	12,189	\$488.00		
Bear Valley Community Healthcare District – 3 Full Term				
	9,681	\$387.00		
Beaumont-Cherry Valley Water District – 2 Full Term				
Division 1	2	\$250.00	Riverside	\$850.00
Division 2	2	\$250.00	Riverside	\$850.00
Big Bear Airport District – 3 Full Term				
	9,681	\$387.00		
Big Bear City Community Services District – 2 Full Term				
	5,923	\$250.00		
Big Bear Municipal Water District – 2 Full Term				
Division 4	1,893	\$250.00		
Division 5	2,480	\$250.00		
Big River Community Services District – 3 Full Term, 1 Short Term				
	437	\$250.00		

OFFICES				
SPECIAL DISTRICTS				
		CANDIDATE STATEMENT COST		
OFFICE	APPROXIMATE VOTERS	SAN BERNARDINO COUNTY	SHARED COUNTY	SHARED COUNTY COST
Chino Basin Water Conservation District – 4 Full Term				
Division 2	26,889	\$1,076.00		
Division 4	15,755	\$630.00		
Division 5	20,545	\$822.00		
Division 6	24,297	\$972.00		
Cucamonga Valley Water District – 3 Full Term, 1 Short Term				
	83,912	\$3,356.00		
East Kern Healthcare District– 3 Full Term				
	51	\$250.00	Kern	\$533.00
Hesperia Recreation and Park District – 2 Full Term				
	32,411	\$1,296.00		
Hi-Desert Memorial Healthcare District – 3 Full Term				
	23,594	\$944.00		

OFFICES				
SPECIAL DISTRICTS				
		CANDIDATE STATEMENT COST		
OFFICE	APPROXIMATE VOTERS	SAN BERNARDINO COUNTY	SHARED COUNTY	SHARED COUNTY COST
Hi-Desert Water District – 2 Full Term				
	10,733	\$429.00		
Indian Wells Valley Water District – 3 Full Term				
	102	\$250.00	Kern	\$767.00
Inland Empire Utilities Agency – 2 Full Term				
Division 1	61,171	\$2,447.00		
Division 5	78,875	\$3,155.00		
Joshua Basin Water District – 3 Full Term, 1 Short Term				
	4,026	\$250.00		
Mojave Water Agency – 4 Full Term				
Division 1	23,797	\$952.00		
Division 3	27,304	\$1,092.00		
Division 5	25,491	\$1,020.00		
Division 7	22,488	\$900.00		
Monte Vista Water District – 3 Full Term, 1 Short Term				
	17,009	\$680.00		
Rand Communities Water District – 2 Full Term				
	51	\$250.00	Kern	\$432.00

OFFICES				
SPECIAL DISTRICTS				
		CANDIDATE STATEMENT COST		
OFFICE	APPROXIMATE VOTERS	SAN BERNARDINO COUNTY	SHARED COUNTY	SHARED COUNTY COST
Rubidoux Community Services District – 3 Full Term				
	0	\$250.00	Riverside	\$675.00
San Bernardino Mountains Comm. Hospital District – 2 Full Term				
	10,813	\$433.00		
San Bernardino Valley Municipal Water District – 2 Full Term				
Division 1	43,798	\$1,752.00		
Division 2	39,172	\$1,567.00	Riverside	\$450.00
Yermo Community Services District – 2 Full Term				
	624	\$250.00		
Yucaipa Valley Water District – 2 Full Term				
Division 1	6,465	\$259.00		
Division 4	4,540	\$250.00		

CANDIDATE QUALIFICATIONS AND INFORMATION

General Information

Unless otherwise specifically provided, no person is eligible to be elected or appointed to an elective office unless that person is a registered voter and otherwise qualified to vote for that office at the time that nomination papers are issued to the person or at the time of the person's appointment. E.C. §201

Notwithstanding any other provisions of law, a public officer who is a minor shall have the right and liability of an adult, both civil and criminal, with regard to his official duties, and a candidate for nomination of election to public office who is a minor shall have the rights and liabilities of an adult, both civil and criminal, with regard to his activities as a candidate. G.C. §275.2

A person is incapable of holding a civil office if at the time of his/her election or appointment he/she is not 18 years of age and a citizen of the state. G.C. § 1020

A person is disqualified from holding any office upon conviction of designated crimes as specified in the Constitution and laws of the State. G.C. §1021

If a candidate is seeking a nonpartisan office, all reference to party affiliation shall be omitted on all required forms. E.C. §8002

The qualifications of a candidate for an elective office and of an elective officer of a District shall be determined by the principal act of that district. E.C. §10514

A person is not eligible to hold a county or district office unless he or she is a registered voter of the county or district in which the duties of the office are to be exercised at the time that nomination papers are issued to the person or at the time of the person's appointment. G.C. § 24001

DECLARATION OF CANDIDACY

Declaration of Candidacy for school board may be obtained from the Registrar of Voters office only. E.C. §10603

Declaration of Candidacy for District office may be obtained from the District Secretary or the Office of the Registrar of Voters. E.C. §10510

ELIGIBILITY REQUIREMENTS FOR SCHOOL AND COLLEGE DISTRICTS

SCHOOL DISTRICT OFFICES

- A. Any person, regardless of gender, who is 18 years of age or older, a citizen of the state, a resident of the school district, a registered voter, and who is not disqualified by the Constitution or laws of the state from holding civil office, is eligible to be elected or appointed a member of a governing board of a school district without further qualifications. Education Code §35107(a)
- B. An employee of a school district may not be sworn into office as an elected or appointed member of that school district's governing board unless and until he or she resigns as an employee. If the employee does not resign, the employment will automatically terminate upon being sworn into office. Education Code §35107(b)(1)

COLLEGE DISTRICTS

- A. Any person, regardless of gender, who is 18 years of age or older, a citizen of the state, a resident of the community college district, a registered voter, and who is eligible to be elected or appointed a member of a governing board of a community college district without further qualifications. Education Code §72103(a)
- B. An employee of a community college district may not be sworn into office as an elected or appointed member of that community college district's governing board unless and until he or she resigns as an employee. If the employee does not resign, the employment will automatically terminate upon being sworn into office. Education Code §72103(b)(1)

SCHOOL AND COLLEGE DISTRICTS

A candidate must be a registered voter in the district (and trustee area, if any) at the time that the declaration of candidacy is filed. A person may not file for more than one school or college district office at the same election. E.C. §10603(c)

ELIGIBILITY REQUIREMENTS FOR SPECIAL DISTRICTS

AIRPORT DISTRICTS

At the time nomination documents are issued, a candidate must be a registered voter residing within the district (and division, if any). Public Utilities Code §22401 and E.C. 201

COMMUNITY SERVICES DISTRICTS

At the time nomination papers are issued, a candidate must be a registered voter of the district (and division, if any). Government Code §61040(b), and Public Resource Code §5784

An employee of a local agency may not be sworn into office as an elected or appointed member of the legislative body of that local agency unless he or she resigns as an employee. If the employee does not resign, the employment shall automatically terminate upon his or her being sworn into office. Government Code §61040(e)

FIRE PROTECTION DISTRICT

At the time nomination documents are issued, a candidate must be a registered voter residing within the district (and division, if any). Health and Safety Code §13841

RECREATION AND PARK DISTRICT OFFICES

At the time nomination documents are issued, a candidate must be a registered voter residing within the district (and division, if any). Public Resource Code §5784

COUNTY WATER DISTRICT OFFICES

Directors must be registered voters and residents of the division from which the voters of the entire district elect them. Water Code §30500, §3073

WATER AGENCIES

Directors shall be residents of the agency. (Elections Code 201, Water Code App.97-4)

MUNICIPAL WATER DISTRICT OFFICERS

At the time nomination documents are issued, a candidate must be a registered voter residing within the division. Water Code §71501 and Government Code §24001

WATER CONSERVATION DISTRICTS

At the time nomination documents are issued, a candidate must be a qualified elector of the division and a registered voter. Water Code §74200

ELIGIBILITY REQUIREMENTS FOR SPECIAL DISTRICTS (Continued)

HEALTH CARE DISTRICT OFFICES

- (a) Except as provided in subdivision (d), no person who is a director, policymaking management employee, or medical staff officer of a hospital owned or operated by a district shall do either of the following:
 - (1) Possess any ownership interest in any other hospital serving the same area as that served by the district hospital of which the person is a director, policymaking management employee, or medical staff officer.
 - (2) Be a director, policymaking management employee, or medical staff officer of any hospital serving the same area as the area served by the district hospital.
- (b) For purposes of this section, a hospital shall be considered to serve the same area as a district hospital when more than 5 percent of the hospital's patient admissions are residents of the district.
- (c) For purposes of this section, the possession of an ownership interest, including stocks, bonds, or other securities by the spouse or minor child or any person shall be deemed to be the possession of interest of the person.
- (d) No person shall serve concurrently as a director or policymaking management employee of a district and as a director or policymaking management employee of any other hospital serving the same area as the district, unless the boards of directors of the district and the hospital have determined that the situation will further joint planning, efficient delivery of health care services, and the best interest of the areas served by their respective hospitals, or unless the district and the hospital are affiliated under common ownership, lease or any combination thereof.
- (e) Any candidate who elects to run for the office of member of the board of directors of a district, and who owns stock in, or who works for any health care facility that does not serve the same area served by the district in which the office is sought, shall disclose on the ballot his or her occupation and place of employment. E.C. §201, Health & Safety Code §32100, §32110)

NOTE TO CANDIDATES REGARDING INCOMPATIBLE OFFICES

The Political Reform Act does not prohibit any office holder from holding multiple public offices or seeking more than one elective office. For example, a deputy district attorney can hold the office of city council member, or a water board director may also be elected to a park and recreation district. There are, however, instances of holding more than one office that are considered incompatible.

There is no single statute that defines “incompatibility of offices”. The common law doctrine of incompatibility of offices, however, prevents an elected official from holding two offices simultaneously **if the offices have overlapping and conflicting public duties.**

The courts have defined this concept as follows: “One individual may not simultaneously hold two public offices where the functions of the offices concerned are inherently inconsistent, as where there are conflicting interests, or where the nature of the duties of the two offices is such as to render it improper due to considerations of public policy for one person to retain both.”

The State of California Attorney General’s Office has issued many opinions of particular compatibility questions. Here are six examples of incompatible offices:

1. The offices of city councilperson and school district board member where the city and the school district have territory in common;
2. Fire chief of a county fire protection district and member of the board of supervisors of the same county;
3. High school district trustee and trustee of an elementary school district which is wholly within the geographic boundaries of the high school district;
4. Water district director and a city council member;
5. Water district director and a school district trustee having territory in common; and
6. Deputy sheriff and county supervisor.

If you have a question about whether two public offices which you hold or seek to hold would be considered incompatible, contact the Attorney General’s office at (916) 324-5437 or visit their website, www.caag.state.ca.us. For further information about conflict of interest or incompatibility of offices, contact, the Fair Political Practices Commission’s website at www.fppc.ca.gov, or phone toll free 1-866-275-3772.

Nomination Documents and Filing Procedures

DATES / LOCATIONS FOR FILING PAPERS

THE FILING DEADLINE FOR THIS ELECTION IS 5:00 P.M. ON AUGUST 8, 2008.

All candidates must file with the Registrar of Voters.

If mailed, documents must be received by the above deadline – **A POSTMARK IS NOT SUFFICIENT.**

**EXTENSION
OF
DEADLINE:**

In the event an incumbent fails to file for office by the close of nomination on Friday, August 8, 2008, any person other than the incumbent shall have until 5:00 p.m. on August 13, 2008 to file for the office.
E.C. §§10516, 10604

**WITHDRAWAL
OF
CANDIDACY:**

A candidate may not withdraw their name from the ballot after 5:00 p.m. on August 8, 2008.

EXCEPTION: If there is an extension the candidates for that office have until 5:00 p.m. on August 13, 2008 to withdraw.

E.C. §§10510, 10604

DECLARATION OF CANDIDACY / OATH OF ALLEGIANCE

This form is used to declare your candidacy, provide your ballot designation, and take the Oath of Allegiance. You will complete the required information at the time you are given this paper and other documents, and the Oath of Allegiance will be administered. Once issued, these forms are public information.

If you do not intend to file a candidate statement, and have selected your ballot designation, this form can be filed on the same date it is issued.

If you are not prepared to select your ballot designation or do not know if you will do a candidate statement (or it is not ready at the time), the Declaration of Candidacy may be taken and returned at a later date - see deadlines above.

If you are physically unable to go to the Registrar of Voters office or district office/off-site location for special district candidates, call (909) 387-8300 or (800) 881-8683 to determine if there is a legal alternative.

CAUTION

You are not officially filed as a candidate until your Declaration of Candidacy is filed at the Registrar of Voters office with all appropriate forms. Even if you choose not to do a candidate statement, a form must be filed with your signature stating you do not want to file a statement.

Name as it Will Appear on the Ballot

The candidate's name will appear on the ballot as provided by the candidate on the Declaration of Candidacy. The Declaration of Candidacy cannot be changed after the close of the nomination period.

No title or degree shall appear on a ballot on the same line as a candidate's name, either before or after the candidate's name, in the case of any election to any office.

E.C. §13106

If the candidate has changed his or her name within one year prior to the election, the new name will not appear on the ballot unless the change was made by marriage or by Decree of Court.

E.C. §13104

BALLOT DESIGNATION

At the option of the candidate, one of the following designations may appear on the ballot under the candidate's name:

1. Words designating the elective office which the candidate holds at the time of filing.
2. The word "incumbent" if the candidate is a candidate for the same office which he or she holds at the time of filing.
3. No more than three (3) words designating the candidate's principal professions, vocations, or occupations during the twelve (12) months immediately preceding the filing of nomination documents.
4. The phrase "appointed incumbent" if the candidate holds an office for which he or she was appointed to fill a vacancy.

Some exceptions may apply. Please refer to Elections Code §13107 provided on the back of the Ballot Designation Worksheet for complete details.

BALLOT DESIGNATION WORKSHEET

Important new requirement regarding Ballot Designation Worksheet.

All candidates to submit a Ballot Designation Worksheet. (E.C. §13107.3)

The Ballot Designation Worksheet contains information about acceptable and unacceptable designations and will be used by the Registrar of Voters to determine if the selected designation is allowable by law.

1. Worksheet must be filed at the same time as the filing of the Declaration of Candidacy.
2. In the event a candidate fails to file a ballot designation worksheet, no ballot designation will appear under the candidate's name.

3. Candidate is not required to have a ballot designation below his name. Candidate must initial the box on the declaration of candidacy indicating he has chosen not to have a ballot designation.
4. Along with the personal information required on the form the candidate must complete a brief statement identifying the factual basis upon which the candidate claims their proposed ballot designation and any alternate ballot designations he/she has supplied. The candidate may attach any supporting documents which he/she believes support his/her proposed ballot designation.

Pursuant to California Administrative Rule 20711(b) the worksheet is public record and shall be available for inspection and copying.

Withdrawal of Candidate

No candidate shall withdraw his or her declaration of candidacy after 5 p.m. on the 88th day (August 8, 2008) prior to the election. E.C. §10510(a), §10604(b)

In the case of an extension, no candidate may withdraw after 5 p.m. on the 83rd day (August 13, 2008) prior to the election. E.C. §10516(b)

Random Alphabet List

On August 14, 2008, the Secretary of State will conduct a random drawing of the alphabet. Names of candidates will be arranged on the ballot in accordance with the random alphabet. E.C. §13112

Insufficient Number of Candidates

If, by 5:00 p.m. on August 13, 2008, the number of candidates in any district does not exceed that number of seats to be filled, and a petition requesting that the election be held signed by 10% of the voters of the district, or 50 voters, whichever is less, has not been presented to the Office of the Registrar of Voters, the election shall not be held. E.C. §10515

ADDITIONAL NOMINATION FORMS

Candidate's Statement Agreement (Required Form)

Candidates for non-partisan elective offices must file the Candidate's Statement Agreement form. The statement is optional, but the form must be filed to indicate whether or not you wish to have a statement appear in the Voter Information portion of the Sample Ballot. Election Code §13308 restricts any candidate statement to a recitation of personal background and qualifications, and shall not in any way make reference to other candidates for that office or to another candidate's qualifications, character, or activities. If a candidate statement does not follow the Election Code; the Elections Official will strike any reference to other candidate's qualifications, character or activities. See the "Candidate's Statement Guidelines" section of this guide for further information.

Code of Fair Campaign Practices (Optional Form)

At the time an individual files his or her declaration of candidacy, nomination petition, or any other paper evidencing an intention to be a candidate for public office, the elections official shall give the individual a copy of the Code of Fair Campaign Practices and a copy of the provisions of Chapter 5, Division 20 of the Elections Code. Subscription to the Code is voluntary. E.C. §20440

Dept. of Transportation Statement of Responsibility (Informational Form)

The California Department of Transportation has specific guidelines and responsibilities pertaining to political signs placed within their areas of jurisdiction. Each candidate receives an informational form letter and a sample copy of the Department of Transportation's "Statement of Responsibility" form at the time nomination documents are issued.

Candidate's Statement Guidelines

CANDIDATE STATEMENT GUIDELINES

The following information should be used in preparing your statement:

1. The law permits nonpartisan candidates to file a candidate statement to be mailed with the sample ballot. Filing of a statement is not mandatory, but is permissive if the candidate desires to file and pays the appropriate fee.
2. If a candidate statement is not filed, a waiver to that effect on the Candidate Statement Agreement Form must be signed and filed with the Declaration of Candidacy.
3. Candidate statements are confidential until the filing period ends. At that time they become public information.

FILING Candidate statements shall be filed with the Registrar of Voters office when the candidate's Declaration of Candidacy is returned for filing. E.C. §13307(a)(2)

WITHDRAWAL Candidate Statements may be withdrawn, but not changed, during the period for filing candidate papers and until 5 p.m. of the next working day after the close of the candidate filing period. E.C. §13307(a)(3)

PAYMENT OF FEES The Registrar of Voters estimates the total cost of printing, handling, translating, and mailing the candidate's statement, and includes costs incurred as a result of complying with the Voting Rights Act of 1965, as amended. This is an estimated cost only and may increase or decrease. E.C. §13307(c)

Payment is required at the time the candidate statement is filed. Cash cannot be accepted in the amount of \$100 or more.

By County ordinance, a fee of \$15 will be charged for any check that is returned by the bank. In cases where difficulty has been experienced, future payments will only be accepted by cashier's check, money order, or cash if under \$100.

For information regarding indigency provisions, please contact the Registrar of Voters. E.C. §13309

DISTRIBUTION The Registrar of Voters shall send to each voter together with the sample ballot, a voter's pamphlet which contains the written statements of each candidate that is prepared. E.C. §13307(b)

PREPARATION The statement shall be prepared on a form provided by the Registrar of Voters. A paper copy must be filed with the Declaration of Candidacy. Our office greatly appreciates receiving an electronic copy of the statement whenever possible. It must be TYPED in upper and lower case, single spaced.

The California Elections Code intends uniformity of appearance. Each statement is allowed the same amount of space in the sample ballot. The heading will be printed in 9 pt. type, the name, age and occupation will be printed in 9 pt. type, and the body of the text will be printed in 8 pt. type.

All statements will be printed in uniform style and size of type, in block paragraph form. Outline form is not acceptable.

Statements will be typeset exactly as submitted. Candidates are therefore advised to carefully check their statements for errors in spelling, punctuation and grammar. The Registrar of Voters is authorized to make corrections only to the format of the statement.

CONTENT

Important new requirement regarding candidate statement content: Candidates cannot make references to other candidates. (See examples on following pages.)

The statement may include the name, age, and occupation of the candidate and a brief description, of no more than 200 words, of the candidate's education and qualifications expressed by the candidate himself or herself. The statement is limited to a recitation of the candidate's own personal background and qualifications, and shall not in any way make reference to other candidates for that office or to another candidate's qualifications, character, or activities. The statement shall not include the party affiliation of the candidate nor membership or activity in partisan political organizations.

E.C. §13307(a)(1) & EC §13308

The elections official shall not cause to be printed or circulated any statement that the elections official determines is not so limited or that includes any reference prohibited.

EC §13308

**CONTENT
(cont'd)**

Nothing in this statement shall be deemed to make any such statement or the authors thereof free or exempt from any civil or criminal action or penalty because of any false, slanderous or libelous statements offered for printing or contained in the voter's pamphlet.
E.C. §13307

Any candidate in an election who knowingly makes a false statement of a material fact in a candidate statement, prepared pursuant to E.C. 13307, with the intent to mislead the voters in connection with his or her campaign for nomination or election to a nonpartisan office is punishable by a fine not to exceed one thousand dollars (\$1000).
E.C. §18351

EXAMPLE OF FORMAT

The Sample Ballot is 8½" x 5½". This is a sample of the candidate statement as it will appear in the sample ballot. (Actual Size)

CANDIDATE FOR EXAMPLE OFFICE SAMPLE DISTRICT	
NAME: PAT DOE	AGE: 66
OCCUPATION: Fortune Teller/Comedian	
FORMAT/CONTENT: This is an example of an acceptable <u>format</u> to be used in a candidate's statement of qualifications. The guidelines for the <u>content</u> of the statement are on the preceding page.	
HIGHLIGHTS: It is acceptable for four words to be bold or <u>underlined</u> or <u>bold and underlined</u> . Four words may also be in ALL CAPITAL LETTERS or in ANY combination.	
<ul style="list-style-type: none">• It is acceptable to use four bullet statements.	
PARAGRAPHS: The candidate statement is printed in standard block paragraph form, which means each paragraph will start on the left and the margins will be justified (as shown in this example). A space will appear between paragraphs unless the statement is submitted without a space between paragraphs. No indentations are allowed. If a list is to be printed (clubs, accomplishments, goals, etc.), it will appear as shown in the following paragraph.	
I belong to the following organizations: PTA...Chamber of Commerce...Zoological Society...Bridge Club. If elected, I will: 1) lower taxes; 2) increase services; 3) cure the common cold; 4) be your servant.	
The Registrar of Voters staff will make modifications so it conforms to these rules.	

The next page shows an example of an unacceptable and an acceptable candidate statement.

Example of Unacceptable Candidate Statement

CANDIDATE FOR GOVERNING BOARD MEMBER FRESNO UNIFIED SCHOOL DISTRICT

NAME: John Jones

AGE: 50

OCCUPATION: Business Owner

As your Board Member, I would be proud to serve the Fresno Unified School District for the next four years. I promise to use my experience to provide quality education for the school children of our district.

For the past four years our district's School Board Member has failed to fulfill the promises he made when elected to office. He has failed to deal with our school's concerns and improve the education of our children. It is now up to us to provide a free and uncompromised voice for the Fresno Unified School District.

I have been a businessman in the district for 25 years, on the city council for two terms as well as a school board member between 1995-1999 for Pine Tree School District. I have been married for 28 years and have two grown children—one a senior in college and the other in the Peace Corps.

If elected as Board Member for the Fresno Unified School District I will strive to provide our children with a decent education, safe environment and maintain fiscal responsibility. I feel qualified to represent our school children and the district and ask that you support me with your vote on June 3rd.

Example of Acceptable Candidate Statement

CANDIDATE FOR GOVERNING BOARD MEMBER FRESNO UNIFIED SCHOOL DISTRICT

NAME: John Jones

AGE: 50

OCCUPATION: Business Owner

As your Board Member, I would be proud to serve the Fresno Unified School District for the next four years. I promise to use my experience to provide quality education for the school children of our district.

I have been a businessman in the district for 25 years, on the city council for two terms as well as a school board member between 1995-1999 for Pine Tree School District. I have been married for 28 years and have two grown children—one a senior in college and the other in the Peace Corps.

If elected as Board Member for the Fresno Unified School District I will strive to provide our children with a decent education, safe environment and maintain fiscal responsibility. I feel qualified to represent our school children and the district and ask that you support me with your vote on June 3rd.

RULES FOR COUNTING WORDS

The following guidelines are for computing the word count for candidate statements. The ***title, occupation and age are not included in the word count***, only the statement text. The Office of the Registrar of Voters will make final determination. E.C § 9

	<u>Word(s)</u>
Punctuation	Free
Dictionary words.....	One
"I", "the", "and", etc. are counted as individual words.	
Abbreviations/Acronyms	One
Examples: SBSU, PTA, U.S.M.C., S.B.P.D.	
Geographical name.....	One
Examples: San Bernardino - 1 word	
County of San Bernardino - 1 word	
Victor Valley – 2 words	
Numbers/Numerical Combinations/E-Mail Addresses:	
Digits (1, 10, or 100, etc.).....	One
Spelled out (one, ten, or one hundred)	One for each word
50%, 1/2, etc.	One
Internet/E-mailaddress (www.sbcrov.com/jdoe@rov.sbcounty.gov).....	One
Number or letter used to identify a portion of text	One
Examples: (1), (a) will be counted as one word	
Dates:	
All digits (01/01/00)	One
Words and digits (January 1, 2000)	Two
Characters used in place of word or number (& or #)	One
Hyphenated words that appear in any generally available dictionary, printed in the United States within the past 10 years, shall be considered as one word. Each part of all other hyphenated words shall be counted as separate words.	
Example: mother-in-law = 1 word	
one-half = 2 words	

Campaign Laws and Regulations

Campaign Finance Disclosure Information

Political Reform Act

The Political Reform Act requires candidates to file campaign statements disclosing contributions received and expenditures made. The statutory requirements of the Political Reform Act are contained in Section 81000 through Section 91015 of the California Government Code. Manuals and forms relating to campaign reporting obligations under the Act may be obtained from your local elections official or the Fair Political Practices Commission (FPPC). Assistance and information on completing campaign statements is provided by the Technical Assistance Division of the Fair Political Practices Commission (FPPC) at (916) 322-5660, (866) 275-3772 or on their website at www.fppc.ca.gov.

Candidates who DO NOT anticipate spending or receiving over \$1,000

Form 501 Candidate Intention Statement

This form announces the candidate's intention to run for office. All candidates must file this form prior to solicitation or receipt of any contribution, or expenditure of any personal funds used for the election. This form is considered filed the date it is postmarked or hand delivered to the Office of the Registrar of Voters. Complete parts 1 and 3 and sign and date the form in ink. An unsigned statement is not considered filed. You must file a separate Form 501 for each election. **Exception:** This form is not required if you will not solicit or receive contributions from other persons and the only expenditures from your personal funds will be used for the filing fee and/or candidate statement in the sample ballot. G.C. §85200

Form 470 Officeholder and Candidate Campaign Statement-Short Form

Candidates who do **not** anticipate spending or receiving over \$1,000 during the calendar year, and do not have a controlled committee, need to file this form.

Form 470 Supplement

After the candidate has filed a Form 470 and then subsequently receives contributions (including monetary or non-monetary contributions, loans and the candidate's personal funds) totaling \$1,000 or more or makes expenditures totaling \$1,000 or more, is required to send written notification, (the Form 470 Supplement) within 48 hours, to the Registrar of Voters office and to each candidate seeking the same office. Regular mail may not be used. Send by FAX, guaranteed overnight delivery or personal delivery. The candidate must file a Form 410 Statement of Organization within 10 days of receiving over \$1,000 in contributions.

Candidates who anticipate spending or receiving OVER \$1,000

Form 501 Candidate Intention Statement

Same requirements as previously stated under Candidates who DO NOT anticipate spending or receiving over \$1,000.

Form 410 Statement of Organization

This **completed** form must be filed with the Secretary of State's Political Reform Division (original & 1 copy) and with the Office of the Registrar of Voters (1 copy), within 10 days of receiving \$1,000 in contributions or spending \$1,000 in expenditures. The term "contribution" includes monetary payments, loans and non-monetary goods or services. You will need to establish a campaign contribution account at any financial institution located in California before you can complete the Form 410. 1) All contributions or loans made to the candidate, to a person on behalf of the candidate, or to the candidate's controlled committee shall be deposited in the account. 2) Any personal funds which will be utilized to promote the election of the candidate shall be deposited in the account prior to expenditure. 3) All campaign expenditures shall be made from this account.* G.C. §85201 and §84215

* This does not apply to a candidate's payment of a filing fee and/or statement of qualifications from his/her personal funds.

Upon filing of the Form 410 with the Office of the Secretary of State, they will issue you a committee ID number, which you must include on all subsequent disclosure filings. A Form 410 may be filed **prior** to the receipt of \$1,000 in order to obtain an ID number and/or to submit bank account information. However, within ten days of receiving or spending \$1,000 or more, you must file an **amended Form 410**. The date you qualify as a committee is the date you received \$1,000 or more. Any time you change any information listed on a previously filed Form 410, such as addresses or treasurer information, you must file an **amended Form 410**. **All amended forms must be filed with both the Secretary of State/Political Reform Division and the Registrar of Voters.**

A committee that **qualifies during the last 16 days prior to an election**, and makes independent expenditures totaling \$1,000 or more to support or oppose a candidate or candidates being voted on in the election, **must file the information required on the Form 410 within 24 hours**. The Form 410 must be faxed, sent by guaranteed overnight delivery, telegram, personally delivered or online (if online filing is available).

G.C. §84101

Once you have filed your Form 410 and have been assigned your ID number, you will file the **Form 460 Recipient Committee Campaign Statement** according to the filing calendar set by the FPPC. Your ID number must appear on every form you file during your campaign. **ALL** candidate controlled committees **MUST FILE** the Form 460 by the appropriate deadlines for each filing period. **If you do not file your campaign statement by the deadline, you are subject to a fine.** Local candidates file their Form 460 reports only with the Registrar of Voters. The **Form 410** is also used to **terminate** your committee upon fulfilling all applicable requirements.

Please refer to Fair Political Practices Commission Manual 2 on the CD you are given for further details on filing requirements. Below is a brief description of some of the forms you may be required to file. Fair Political Practices Commission forms are available from the FPPC website www.fppc.ca.gov or from the Registrar of Voters by calling (909) 387-8300 or (800) 881-8683.

Form 460 - Recipient Committee Campaign Statement

For use by a candidate or officeholder not eligible to file the short form (Form 470) or who is filing jointly with one or more controlled committees. A controlled committee is one that is controlled directly or indirectly by a candidate or which acts jointly with a candidate or controlled committee in connection with the making of expenditures.

Form 496 - Late Independent Expenditure Report

This form **may** be used to report a late independent expenditure and must be filed within 24 hours of making the independent expenditure **and** each time \$1,000 or more is spent to support or oppose a single candidate or measure during the 16 days immediately prior to the election in which the candidate or measure is being voted on. This form must be filed by fax, guaranteed overnight delivery, or personal delivery. Regular mail may not be used. **(Government Code Section §85501 prohibits a candidate's controlled committee from making an independent expenditure to support or oppose another candidate.)**

Form 497 - Late Contribution Report

This form **may** be used to report a late contribution. Late contributions must be reported within 24 hours of receiving a monetary or non monetary contribution, including a loan, or a combination of monetary and non monetary contributions and loans that total **\$1,000 or more from a single source**, during the 16 day period preceding the election in which the candidate or measure is to be voted on. Regular mail may **not** be used to file this report. File by fax, guaranteed overnight delivery or personal delivery.

Election Related Filings

All committees must file reports by the filing deadline for the specific period set by the FPPC. These dates are set by law and cannot be changed. You will be required to amend your statement if your report does not list the correct reporting period. All committees should file by the appropriate method of delivery. ***Please note that for the statement due October 24, 2008, you are required to deliver your statement in person or by guaranteed overnight service.*** A copy of the current FPPC calendar is in this section and copies are also available at the Registrar of Voters.

Faxing Campaign Statements

Campaign statements that contain 30 pages or less may be faxed provided that the faxed copy of the campaign statement is the exact copy of the original version. **The original version must be sent by first class mail, guaranteed overnight delivery, or delivered personally within 24 hours of the applicable deadline.** G.C. §81007

Reporting Donor Information on Schedule A, Form 460

Committees must disclose the name and address of contributors who contribute \$100 or more during a calendar year. If the contributor is an individual, the occupation and employer must be listed as well. An amended Form 460 can be filed later if this information is not available before the filing deadline. File all Form 460's on or before the deadline to avoid a fine. You are not required to attach schedule pages to the Form 410 containing a zero total. G.C. §85700

LAWS GOVERNING CAMPAIGN PRACTICES

Political Advertising

Any paid political advertisement that refers to an election or to any candidate for state or local elective office and that is contained in or distributed with a newspaper, shall bear on each surface or page thereof, in type or lettering at least half as large as the type or lettering of the advertisement or in 10-point roman type, whichever is larger, the words "Paid Political Advertisement". The words shall be set apart from any other printed matter. As used in this section "Paid Political Advertisement" shall mean and shall be limited to, published statements paid for by advertisers for purposes of supporting or defeating any person who has filed for an elective state or local office. E.C. §20008

Local jurisdictions have each established ordinances regarding political advertising and signs. Refer to the "Outdoor Political Advertising Guidelines" section in this guide for contact information for each of the city code enforcement offices in San Bernardino County to obtain further information.

Simulation of the Ballot

Every simulated ballot or simulated sample ballot shall bear on each surface or page thereof, in type or lettering at least half as large as the type or lettering of the statement or words or in 10-point roman type, whichever is larger, in a printed or drawn box and set apart from any other printed matter, the following statement:

"NOTICE TO VOTERS"
"(Required by Law)"

"This is not an official ballot or an official sample ballot prepared by the county elections official or the Secretary of State."

"This is an unofficial, marked ballot prepared by _____ (insert name and address of the person or organization responsible for preparation thereof)."

Violations will result in a court injunction. Our office is available to review proposed ballot simulations. E.C. §20009

Campaign Literature Containing Polling Place of Voter

No person shall distribute, or cause to be distributed, literature to voters which includes the designation of a voter's polling place other than the precinct polling place listed for that voter in the latest official precinct polling place list prepared within 30 days prior to such distribution. Violations may result in criminal penalties. E.C. §18302

Candidates are requested not to distribute or mail campaign literature telling a voter where his/her polling place is located. It is not only confusing to voters, but invariably some polling place changes occur in the last few days before an election. In the past, candidates have mailed or had distributed campaign literature telling voters to go to the wrong polling place. We are sure you can understand the problems this causes for voters and our staff, as well as for the candidate.

Mass Mailing/Campaign Literature

The definition of "Mass Mailing" is two hundred (200) or more identical or nearly identical pieces of mail, but does not include a form letter or other mail which is sent in response to a unsolicited request, letter or other inquiry. G.C. §82041.5

Mass Mailing Requirements

Section 84305 of the Government Code provides as follows:

- a) Except as provided in subdivision (b), no candidate or committee shall send a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass mailing and on at least one of the inserts included within each piece of mail of such mailing in no less than 6-point type. A post office box may be stated in lieu of a street address if the organization's address is a matter of public record with the Secretary of State.
- b) If the sender of the mass mailing is a single candidate or committee, the name, street address, and city of the candidate or committee need only be shown on the outside of each piece of mail.
- c) If the sender of a mass mailing is a controlled committee, the name of the person controlling the committee shall be included in addition to the information required by subdivision (a).

Government Code 84310:

- a) A candidate, committee, or slate mailer organization may not expend campaign funds, directly or indirectly, to pay for telephone calls that are similar in nature and aggregate 500 or more in number, made by an individual, or individuals, or by electronic means and that advocate support of, or opposition to, a candidate, ballot measure, or both, unless during the course of each call the name of the organization that authorized or paid for the call is disclosed to the recipient of the call. Unless the organization that authorized the call and in whose name it is placed has filing obligations under this title, and the name announced in the call either is the full name by which the organization or individual is identified in any statement or report required to be filed under this title or is the name by which the organization or individual is commonly known, the candidate, committee, or slate mailer organization that paid for the call shall be disclosed. This section shall not apply to telephone calls made by the candidate, the campaign manager, or individuals who are volunteers.
- b) Campaign and ballot measure committees are prohibited from contracting with any phone bank vendor that does not disclose the information required to be disclosed by subdivision (a).
- c) A candidate, committee, or slate mailer organization that pays for telephone calls as described in subdivision (a) shall maintain a record of the script of the call for the period of time set forth in Section 84104. If any of the calls qualifying under subdivision (a) were recorded messages, a copy of the recording shall be maintained for that period.

Mass Mailing Prohibitions

NO newsletter or other mass mailing shall be sent at public expense.

Truth In Endorsements Law

Elections Code §20008 et seq. provides additional information regarding restrictions on endorsements, representation requirements, etc. A copy of the code is available for viewing at the Registrar of Voters.

False or Misleading Information to Voters

No candidate shall submit any nomination paper or declaration of candidacy knowing that any part of it has been made falsely. Violations may result in criminal penalties. No candidate shall attempt to mislead the public by pretending or implying by his statements or conduct that he is an incumbent of a public office or that he has acted in the capacity of a public officer when this is not the case. (§18350) Violations may result in civil penalties. In the occupational designation on the ballot, no candidate shall assume a designation which would mislead the voters. E.C. §13107, §18203, §18350

ELECTIONEERING ON ELECTION DAY

On Election Day, no person at any time shall be within 100 feet of a polling place or an elections official's office and:

- a) Circulate an initiative, referendum, recall, or nomination petition or any other petition.
- b) Solicit a vote or speak to a voter on the subject of marking his ballot.
- c) Place a sign relating to voters' qualifications or speak to a voter on the subject of his qualifications except as provided in Section 14240.
- d) Do any electioneering.

As used in this section "100 feet of a polling place or an election official's office" shall mean a distance 100 feet from the room or rooms in which voters are signing the roster and casting ballots. E.C. §18350

Any person who violates any of the provisions of this section is guilty of a misdemeanor.

Section 18371 of the Election Code:

- a) No candidate or representative of a candidate, and no proponent, opponent, or representative of a proponent or opponent, of an initiative, referendum, or recall measure, or of a charter amendment, shall solicit the vote of a vote by mail voter, or do any electioneering, while in the residence or in the immediate presence of the voter, and during the time he or she knows the vote by mail voter is voting.
- b) Any person who knowingly violates this section is guilty of a misdemeanor.

Section 18403 of the Elections Code provides that any person other than an elections official or a member of the precinct board who receives a voted ballot from a voter or who examines or solicits the voter to show his or her voted ballot is punishable by a fine not exceeding ten thousand dollars (\$10,000), by imprisonment in the state prison for 16 months or two or three years or in a county jail not exceeding one year, or by both the fine and imprisonment. This section shall not apply to persons returning a vote by mail ballot pursuant to Sections 3017 and 3021 or persons assisting a voter pursuant to Section 14282.

Section 18540 provides that every person who makes use of or threatens to make use of, or who hires or arranges for any other person to make use of or threaten to make use of, any force, violence, or tactic of coercion or intimidation to induce or compel any other person to vote or refrain from voting at any election, or for any particular person or measure, or because any person voted or refrained from voting for any particular person or measure at any election is guilty of a felony punishable by state imprisonment for 16 months or two or three years.

Section 18544 provides that any person in possession of a firearm or any uniformed peace officer, private guard, or security officer who is stationed in the immediate vicinity of, or posted at a polling place without written authorization of the appropriate city or county elections official is punishable by a fine not exceeding ten thousand dollars (\$10,000), state imprisonment for 16 months or two or three years, county jail term not exceeding one year, or both the fine and imprisonment.

Section 18547 of the Election Code:

- a) In addition to any other fine or penalty imposed by this article, the court may order any person convicted of violating this article to pay a restitution fine, the amount of which shall be determined by the court and be commensurate with the seriousness of the offense.

CODE OF FAIR CAMPAIGN PRACTICES (Election Code Sections 20400-20444)

Background Information

In 1982, legislation was passed which established a "Code of Fair Campaign Practices" in California which could be voluntarily subscribed to by candidates for public office. Amendments in 1987 expanded the provisions of the code so as to apply to committees formed primarily to support/oppose a ballot measure, and also reaffirmed civil liability provisions pertaining to libel and slander in campaign advertising and communications.

The text of the provisions of the Code of Fair Campaign Practices is listed on the following pages.

Registrar of Voters Requirement

The Registrar of Voters is required, at the time an individual is issued his/her Declaration of Candidacy, nomination papers, or any other paper evidencing an intention to be a candidate for public office, to provide the candidate a blank form on which to subscribe to the "Code of Fair Campaign Practices" and a copy of the Elections Code provisions.

Voluntary Subscription

Subscription to the Code is voluntary. Completed forms are to be filed with the Registrar of Voters and shall be retained for public inspection until 30 days after the election.

PROVISIONS OF THE CODE OF FAIR CAMPAIGN PRACTICES
as found in Chapter 5 of Division 20 of the California Elections Code

Chapter 5. Fair Campaign Practices
Article 1. General Intent

20400. The Legislature declares that the purpose of this chapter is to encourage every candidate for public office in this state to subscribe to the Code of Fair Campaign Practices.

It is the ultimate intent of the Legislature that every candidate for public office in this state who subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play in order that, after vigorously contested, but fairly conducted campaigns, the citizens of this state may exercise their constitutional right to vote, free from dishonest and unethical practices which tend to prevent the full and free expression of the will of the voters.

The purpose in creating the Code of Fair Campaign Practices is to give voters guidelines in determining fair play and to encourage candidates to discuss issues instead of untruths or distortions.

Article 2. Definitions

20420. As used in this chapter, "Code" means the Code of Fair Campaign Practices.

Article 3. Code of Fair Campaign Practices

20440. At the time an individual is issued his or her declaration of candidacy, nomination papers, or any other paper evidencing an intention to be a candidate for public office, the elections official, shall give the individual a blank form of the Code and a copy of this chapter. The elections official shall inform each candidate for public office that subscription to the code is voluntary.

In the case of a committee making an independent expenditure as defined in Section 82031 of the Government Code, the Secretary of State shall provide a blank form and a copy of this chapter to the individual filing, in accordance with Title 9 (commencing with Section 81000) of the Government Code, an initial campaign statement on behalf of the committee.

20441. The Secretary of State shall print, or cause to be printed, blank forms of the code. The Secretary of State shall supply the forms to the elections officials in quantities and at times requested by the elections officials.

20442. The elections official shall accept, at all times prior to the election, all completed forms that are properly subscribed to by a candidate for public office and shall retain them for public inspection until 30 days after the election.

20443. Every code subscribed to by a candidate for public office pursuant to this chapter is a public record open for public inspection.

20444. In no event shall a candidate for public office be required to subscribe to or endorse the code.

CODE OF FAIR CAMPAIGN PRACTICES - OATH

There are basic principles of decency, honesty, and fair play which every candidate for public office in the State of California has a moral obligation to observe and uphold in order that, after vigorously contested but fairly conducted campaigns, our citizens may exercise their constitutional right to a free and untrammelled choice and the will of the people may be fully and clearly expressed on the issues.

THEREFORE:

(1) I SHALL CONDUCT my campaign openly and publicly, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing without fear or favor the record and policies of my opponents or political parties that merit such criticism.

(2) I SHALL NOT USE OR PERMIT the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or his or her personal or family life.

(3) I SHALL NOT USE OR PERMIT any appeal to negative prejudice based on a candidate's actual or perceived race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, age, sexual orientation, sex, including gender identity, or any other characteristic set forth in Section 12940 of the Government Code, or association with another person who has any of the actual or perceived characteristics set forth in Section 12940 of the Government Code.

(4) I SHALL NOT USE OR PERMIT any dishonest or unethical practice that tends to corrupt or undermine our American system of free elections, or that hampers or prevents the full and free expression of the will of the voters including acts intended to hinder or prevent any eligible person from registering to vote, enrolling to vote, or voting.

(5) I SHALL NOT coerce election help or campaign contributions for myself or for any other candidate from my employees.

(6) I SHALL IMMEDIATELY AND PUBLICLY REPUDIATE support deriving from any individual or group which resorts, on behalf of my candidacy or in opposition to that of my opponent, to the methods and tactics that I condemn. I shall accept responsibility to take firm action against any subordinate who violates any provision of this code or the laws governing elections.

(7) I SHALL DEFEND AND UPHOLD the right of every qualified American voter to full and equal participation in the electoral process.

I, the undersigned, candidate for election to public office in the State of California or treasurer or chairperson of a committee making any independent expenditures, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct my campaign in accordance with the above principles and practices.

Signature

Date

Office Sought

Date of the Election

OUTDOOR POLITICAL ADVERTISING GUIDELINES

Posting of County Political Signs

The following guidelines on posting of temporary political signs in San Bernardino County areas are provided to be of assistance. More detailed information, or updates, can be obtained by contacting Code Enforcement (800) 722-3181 or (909) 387-4044.

A temporary political sign is any sign that indicates any one or a combination of the following:

1. The name or picture of an individual seeking election or appointment to a public office.
2. Relates to a forthcoming public election or referendum.
3. Advocates a person, group, or party's political views or policies.

A temporary political sign is permitted in any land use district subject to the following limitations:

1. Such political signs shall be removed within thirty (30) days after the same election.
2. Such political signs shall have a maximum area of eight (8) square feet in residential land use districts and thirty-two (32) square feet in all other land use districts, unless such sign is an accessory (e.g. campaign headquarters) or primary sign permitted by this chapter.
3. Such political signs shall not be erected within any street intersection, clear, sight triangle or at any location where the sign may interfere with, obstruct the view of, or be confused with any authorized traffic sign.
4. Such political signs shall not be nailed or affixed to any tree, fence post or public utility pole and shall not be located in the public right-of way, parkway or on publicly owned land.

San Bernardino County Flood Control or Right of Ways

NO political signs can be placed within the San Bernardino County Flood Control or Road Right of Way.

State Political Sign Regulations

The California Department of Transportation has specific guidelines and responsibilities pertaining to political signs placed within their areas of jurisdiction. This information will be issued to candidates when receiving their nomination papers.

City Political Sign Regulations

The placement of signs within the city limits is regulated by each respective city. Listed below is the contact information for each city code enforcement office within San Bernardino County. Please contact them if you have any questions.

Apple Valley

(760)240-7560

(760)240-7000

Adelanto

(760)246-3305

(760)246-2300x3028

Barstow

(760)255-5140

Big Bear Lake

(909)866-5831

Chino

(909)591-9809

Chino Hills

(909)364-2757

Colton

(909)370-5114

Fontana

(909)350-7623

Grand Terrace

(909)430-2229

Hesperia

(760)947-1057

Highland

(909)864-6861x201

Loma Linda

(909)799-2800

Montclair

(909)625-9477

Needles

(760)326-4952

Ontario

(909)395-2007

Rancho Cucamonga

(909)477-2712

Redlands

(909)335-4737

Rialto

(909)421-7246

San Bernardino

(909)384-5205

Twentynine Palms

(760)367-6799

Upland

(909)946-9333

Victorville

(760)955-5102

Yucaipa

(909)797-2489x245

Yucca Valley

(760)369-6575

Services Available to Candidates

VOTER REGISTRATION AND ELECTION DATA

Per confidentiality laws of 1995, voter information is confidential; however, there are specific permissible exceptions to the law. The California Administrative Code, Title 2, Division 7, Chapter 1, Article 1, Sections 19003, 19004, & 19005 specifies permissible uses for any data obtained from voter registration files. Permissible usage includes direct election campaigning, surveys in conjunction with an election campaign, and distribution of information of a political nature. Data obtained from voter registration or election files may not be sold, leased, loaned, reproduced, or possession thereof relinquished without receiving written authorization to do so from the Secretary of State or the Registrar of Voters. Prohibited usage includes commercial purposes and solicitations of contributions or services for any purpose other than on behalf of a candidate or political party, or in support of or opposition to a ballot measure.

Public Viewing Terminals

The voter registration database may be viewed from a public terminal in the lobby area of the Registrar of Voters. The public viewing terminal is available during normal business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m. The public terminal screen does not reveal confidential voter registration information. Confidential information includes such items as: residential street address, telephone number, precinct number, occupation, driver's license number and the last four digits of a social security number.

Confidential Viewing Terminals

Viewing of the confidential voter registration database is only available at the Registrar of Voters. To view the confidential voter registration database, you will be required to provide identification and complete an Application for Voter Information. The confidential viewing terminal is available during normal business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m.

Purchasing Voter Information

Voter information and maps are available for purchase at the Registrar of Voters. You must present a valid picture ID the first time you place an order. If you do not want to come into our office, please contact Shirley Armstead at (909) 387-2271 for instructions. When purchasing voter information, you will be asked to complete an "Application for Voter Information" and explain why you need this information. You must pay for your order in advance. Our office will call you when your order is ready for pickup. Orders are processed in the order they are received. Generally, there is a three business day turnaround.

ELECTION DAY POLL WATCHING GUIDLINES

The polls officially open at 7:00 a.m. and close at 8:00 p.m. on Election Day. Any voter waiting in line to vote at 8:00 p.m. will be allowed to vote. The Registrar of Voters is also open from 7:00 a.m. until 8:00 p.m. to assist voters. Vote by mail ballots may be returned to any polling place in San Bernardino County or the Registrar of Voters office prior to 8:00 p.m.

Poll watchers may not wear candidate badges, discuss candidates, how a voter voted, or bring any campaign material into the polling place. This constitutes electioneering and is illegal. Electioneering may not be conducted within 100 feet of a polling place. The term "100 feet of a polling place" means a distance of 100 feet from the room or rooms in which voters are signing the Roster-Index and casting ballots. Violation of this section is a misdemeanor. E.C. §18370

No one may be within 100 feet of a polling place while wearing a firearm or a peace officer or security guard uniform except: (1) An unarmed uniformed guard or security personnel who is at the polling place to cast his/her vote; (2) A peace officer who is conducting official business in the course of his/her public employment or who is at the polling place to cast his/her voter; (3) A private guard or security personnel hired or arranged for by a city or county elections official; (4) A private guard or security personnel hired or arranged for by the owner or manager of the facility or property in which the polling place is located if the guard or security personnel is not hired or arranged solely for the day on which an election is held. E.C. §18544

The Precinct Board will attempt to respond to any reasonable, lawful requests from observers. The Registrar's office has instructed Precinct Officers to ask unruly poll watchers to leave, and to ask for assistance from the local law enforcement agency, if necessary.

ELECTION NIGHT RESULTS

San Bernardino County uses a central location for tallying votes. All ballots are tabulated in the Registrar of Voters Tally Center located at:
777 E. Rialto Ave., San Bernardino.

The vote counting procedure is open to public viewing. Unofficial results are available throughout the evening of the election in the Registrar of Voters office beginning at approximately 8:15 p.m. and continuing until all precinct ballots have been tallied. Results may also be obtained by calling the Registrar of Voters office at (909) 387-8300 or 800-881-8683 or visiting our web site (www.sbcrov.com).